

Enforcement Update at Southernaways Cottage, Water Street, Seavington St Mary

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Purpose of the Report

To inform Members of the next steps/intentions of the applicant following from the refusal of application 19/00952/HOU at Area North Committee on Wednesday 26th June 2019.

Public Interest

Both the initial retrospective and the later revised retrospective application (lowering the ridge of the garden store by 400mm) attracted a number of objections from local residents and the Parish Council.

Background

Application reference 19/00952/HOU (Erection of a garden room and garden store (revised retrospective application) was discussed at Area North Committee on the 26th June 2019. The Case Officer presented the proposal before the Members and recommended the proposed development for approval with conditions. The Members resolved to overturn the officer's recommendation and the application therefore refused for the following reason:

'The garden store hereby proposed in terms of its size, setting materials and design is considered to cause harm to the character of the area and the heritage asset, contrary to policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.'

Discussions surrounding enforcement took place following the overturned decision and it was agreed that a report would be produced for Area North's July Committee outlining the intentions of the applicant/agent following the refusal.

Following committee it was confirmed in writing by both the agent and applicant that the decision to refuse the application is to be appealed, rather than submit a revised application for the re-siting the garden store, which was encouraged by Members. The timeframe for the applicant to do this is 12 weeks from the date of the decision notice (27th June 2019).

Recommendation

That Members consider waiting for the outcome of the appeal decision for planning application 19/00952/HOU at Southernaways Cottage, Seavington St Mary and request a report to committee to update them once the decision has been issued. Members may then deliberate on and resolve what enforcement action should be taken if the appeal is dismissed by the Inspectorate or if the appeal is not made.

Financial Implications

At the current time, the financial implications largely fall on the applicant/landowner.

Background Papers

18/00302/OPERA (Enforcement) (Confidential)

19/00145/HOU (Retrospective)

19/00952/HOU (Revised Retrospective)